

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1, 3-7 and 11-21 were previously canceled.

Claim 2 is canceled without prejudice or disclaimer of the subject matter therein.

Claims 28 and 29 are added without the introduction of new matter.

Claims 22 and 27 are amended without the introduction of new matter.

Claims 8-10 and 22-29 are pending.

II. Rejection under 35 U.S.C. §101

Claim 27 was rejected under 35 U.S.C. §101. Specifically, the Examiner states that the claim positively recites the ostium vaginae and labia inner wall, which are parts of the human body. Amended claim 27 recites that "each water permeable cover sheet comprises a porous non-woven fabric in an area contacting ostium vaginae and a non-porous non-woven fabric in an area contacting a labia inner wall." The interlabial pad recited in claim 27 does not positively recite ostium vaginae and a labia inner wall as features of the invention. Amended claim 27 recites that the areas contacting ostium vaginae and a labia inner wall each include a porous non-woven fabric and a non-porous non-woven fabric, respectively. Therefore, Applicants respectfully request the withdrawal of the rejection of claim 27 on that basis.

Claims 2, 8-10 and 22 were rejected under 35 U.S.C. §102(b) as anticipated by JP 4-128728 herein “JP ‘728”). Further, claims 23-26 were rejected under 35 §103(a) as unpatentable over JP ‘728 in view of the Examiner’s statement that it would have been obvious to one of ordinary skill in the art to modify the distance in which the cover sheets are separated in order to produce the most effective product, and that it is well known in the art to provide absorbent articles with either an impermeable or permeable material to produce desired results.

Independent claim 22 is directed to an interlabial pad, and amended to incorporate features substantially similar to previously presented claim 2, to recite additional features, and to clarify subject matter recited.

However, JP '728 merely shows in FIGS. 2 and 3 that one void is formed at the non-bonded portion 7 along a part of the longitudinal centerline. Though a pair of voids are created between the absorber 4a and the support sheet 3, and between the absorber 4b and the support sheet 3 in

each of the sides 2a and 2b, respectively, that pair of voids are closed thereby preventing the flow of a body fluid into the voids.

Further, amended claim 22 recites that “a pair of water permeable cover sheets covering the absorbers respectively, each water permeable cover sheet having two portions, corresponding to a shape of each absorber, respectively, being folded to cover both an inner and outer surfaces of each absorber, respectively, and bonded such that the two portions of each water permeable cover sheet covering the inner and outer surfaces of each absorber, respectively, are bonded together at the peripheral edge of an upper surface of the support sheet.” Such features are shown in, for example, FIGS. 4 and 5.

In contrast, JP ‘728 merely describes a absorbent article having a single cover sheet 2, as shown in, for example, Figs. 1 and 2. The single cover sheet 2 wraps around the absorber 4a to the support sheet 3, traverses the support sheet 3 to absorber 4b, and wraps around absorber 4b.

Moreover, amended claim 22 further recites that “a support sheet, having a peripheral edge that forms an outline of the interlabial pad that has at least one shape from the group consisting of an elliptic type shape, an ovoid type shape, a gourd-shape, and a drop-shape.” Such features are shown in FIGS 4-7, and supported by the Specification at, for example, page 17, lines 13-16.

In contrast, JP ‘728 merely shows in Fig. 3 one shape of the support sheet 3, which is different from the shapes recited in amended claim 22, and is silent on the shapes of the support sheet recited in amended claim 22.

Therefore, the present invention recited in amended claim 22 and claims dependent therefrom are patentably distinguishable over JP ‘728. Dependent claim 29 is further patentably distinguishable over JP ‘728 because claim 29 recites features that are not taught or suggested in JP

Accordingly, Applicants respectfully request the withdrawal of the rejections of the claims 8-10 and 22-26.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Attorneys/Agents For Applicant